

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated November 24, 2009. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-22 are pending in the Application. Claims 1, 8, 9, 11, 15, 19, 21 and 22 are independent claims. By means of the present amendment, the claims are amended including for better conformance to U.S. practice, such as correcting typographical errors as well as correcting certain informalities noted upon review of the claims. By these amendments, the claims are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Final Office Action, claims 1, 9, 11, 15 and 21 are rejected under 35 U.S.C. §112, second paragraph. This rejection of claims 1, 9, 11, 15 and 21 under 35 U.S.C. §112, second paragraph is respectfully traversed. However, in the interest of expediting

consideration and allowance of the pending claims, the Applicants have elected to amend the claims to clarify that which is recited in the claims. Accordingly, it is respectfully submitted that claims 1, 9, 11, 15 and 21 are definite and it is respectfully requested that this rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

In the Final Office Action, claims 1-2, 4-9, 11 and 13-22 are rejected under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2002/0029256 to Zintel ("Zintel") in view of U.S. Patent No. 7,093,031 to Ray ("Ray") and in further view of U.S. Patent Publication No. 2003/0167369 to Chen ("Chen"). Claims 3, 10 and 12 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,222,530 in view of Ray in further view of Chen in view of U.S. Patent No. 5,991,713 to Unger ("Unger").

Applicants respectfully traverse the above listed rejections and submit that claims 1-22, as amended, are patentable over Zintel in view of Ray and Chen alone and in view of Unger for at least the following reasons.

It is respectfully submitted that while the Final Office Action has found references that either support one of a simple

device description or an extended device description, the Final Office Action has failed to find a single reference that operates in a system wherein both simple devices that only recognize simple device descriptions coexist with devices that are capable of operating with a simple device description and with an extended device description.

It is respectfully submitted that the Applicants appreciated that both simple and extended devices existed, but the Applicants recognized that (emphasis added) "those prior art systems of which the inventors are aware implement only a single device description message and response. By providing a simple device description of defined length and an extended device description of variable length the invention makes it possible to combine using the HUCL protocol simple devices operating only using the simple messages and complex devices which make use of the greater functionality available from the extended device description of variable length."

(See, present application, page 2, lines 9-15.) In this way and in accordance with the present system, "[s]imple devices may simply ignore extended device description queries" and may yet may coexist

with devices that support the extended device description. (See, present application, page 2, line 16.)

It is respectfully submitted that not one of Zintel, Ray, Chen and Unger teach, disclose or suggest such a system or a simple message such as recited in the claims.

It is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of Zintel in view of Ray and Chen. For example, Zintel in view of Ray and Chen does not teach, disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis added) "receiving from the second device a simple device description message of defined length including a device type value representing the type of the second device; sending a query message to the second device requesting an extended device description from the second device when the simple device description indicates that the extended device description is available and the extended device description is required by the first device, and not sending the query message to the second device when at least one of the simple device description indicates that the extended device description is not available and the extended device description is not required by

the first device; and receiving from the second device the extended device description of variable length when the extended device description is available on the second device and an extended device description is required by the first device" as recited in claim 1, and as similarly recited in each of claims 8, 9, 11, 15, and 19.

Thus, in accordance with claims 1, 8, 9, 11, 15, and 19, both complex and simple devices are managed in a network. The simple devices being incapable of using presently available network protocols but able to transmit "a device type value representing the type of the at least one other device" and by this simple message, indicating that an extended device description is available.

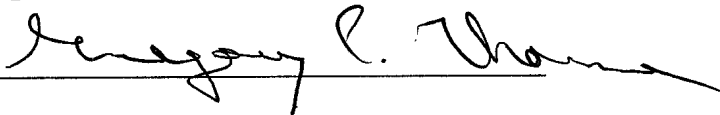
Based on the foregoing, the Applicants respectfully submit that independent claims 1, 8, 9, 11, 15, and 19 are patentable over Zintel in view of Ray and Chen and notice to this effect is earnestly solicited. Claims 2-7, 10, 12-14, 16-18 and 20 respectively depend from one of claims 1, 9, 11 15, 18 and 19 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims.

Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position, or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398  
Attorney for Applicant(s)  
January 20, 2010

**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101